

REMARKS

Introduction

In response to the Office Action dated December 15, 2006, Applicants have amended the specification and claims 4-6. Claims 1-6 are pending.

Drawings

The drawings are objected to because Figure 1 should be labeled "Figure 1."

This objection is respectfully traversed.

In accordance to MPEP 608.02, where only a single view is used in an application to illustrate the claimed invention, it must not be numbered and the abbreviation "FIG." must not appear. Accordingly, the specification has been amended to change "Fig. 1" to --the Sole figure or --the Figure--.

In view of the above, it is respectfully submitted that the objections are overcome.

Claim Rejection Under 35 U.S.C. § 112

Claims 4-6 are rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 4-6 have been amended to conform to U.S. practice.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 408275751 (hereinafter Katayama 1) in light of JP 06293649 (Katayama 2).

The Office Action states that Katayama 1 discloses an alcoholic extract of soybean milk fermented with Eruzen A bacteria.

The present application is directed to the intravaginal washing agent including a fermented soybean milk produced by fermenting soybean milk with a co-culture of a plurality of lactic acid bacteria and the extract produced by extracting the fermented soybean milk with an alcohol.

In contrast, Katayama 1 discusses a non-analogous art of food additives. Katayama 2 teaches a non-analogous wound healing drug. The teachings of Katayama 1 would not apply to Katayama 2 because Katayama 1 is related to a food additive useful as a seasoning. Nor is there any suggestion identified in either reference that might arguably teach one how or why to combine a food additive with a wound healing drug. For this reason, the rejection is improper and the rejection should be withdrawn.

The Office Action states, “the fermented soybean milk of the claims was known in the art, as well as the alcoholic extract thereof.”

Katayama 1 discusses a soybean fermented extract (constitution). Katayama 1 discusses heating a soybean milk (constitution). However, Katayama 1 fails to suggest “fermented soybean milk.” Katayama 1 and 2 are silent with respect to the intravaginal washing agent made from the fermented soybean milk.

The present application claims an intravaginal washing agent and is an effective medical agent against bacterial vaginosis, Chlamydia cervicitis, and candidal vaginitis (*see, e.g.*, Para. [0001], [0009], [0117], and [0118]). About three days after the administration of the intravaginal

washing agent, the symptoms were clearly improved and this condition was maintained (*see, e.g.,* Para. [0118]). The present application discusses how after the intravaginal washing agent was administered for one week or more, the effect could be maintained (*see, e.g.,* Table 4, Para. [0115], [0118]). Thus, the superior medical agent made from the fermented soybean milk or the extract thereof is a superior medical agent (*see, e.g.,* Para. [0118]).

Thus, none of the references, either individually or combined, disclose "...an intravaginal washing agent" as recited in independent claims 1 and 2.

Withdrawal of the foregoing rejections is respectfully requested.

Conclusion

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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